Remarks/Arguments

Claims 1-10, 12-25, and 27-31 are pending in the application. Claims 1 and 5 are independent. The Examiner has rejected claims 1-31 under 35 U.S.C. 102(e) as being anticipated by Rockwell (US 2004/0128375). Applicant respectfully traverses the rejections.

Claim 1 of the subject invention relates to a method for providing adaptable provisioning of an application program for execution on a runtime environment of a terminal, the application including generic application content, the terminal including a provisioning API set including a generic API for being addressed by different content types of the generic application content, wherein the generic API is unable to be accessed directly for the different content types of the generic application content;

the method comprising the steps of:

retrieving an enabler corresponding to a first content type of the generic application content; and

using the enabler to access the generic API for provision the first content type of the generic application content.

As described by the Specification (page 16, line 14 to page 19, line 13) and claimed by claim 1, the present invention relates to provisioning an application on a terminal. As part of the provisioning process, an enabler is used to provide different content types with access to the same API. Accordingly, for different types of content included in an application that requires access to an API, a corresponding enabler is provided to facilitate the access. Thus, the same API can be used by different content type to achieve the same result.

In the example described in the specification, the generic API is a compression API. Two different types of content need to be provisioned using the compression API. A first type of content is ring tone data (A) and a second type of content is game data (B). Accordingly, a first enabler A and a second enabler B are provided that correspond to their respective content types.

Each enabler processes the data according to the content type and passes it to the compression API for compression. For example, Enabler A extracts sound bytes from the ringtone content and passes it to the compression API. Similarly, Enable B extracts graphics and sound sequences from the game content and passes it to the compression API.

Accordingly, it can be seen that even if an application includes content having different content type, the same API can be used to provide functionality to the application, regardless of the content.

Rockwell (US 2004/0128375)

Rockwell teaches a system for provisioning services on a device. As described in paragraph 34, the term "provisioning" as used in Rockwell refers "to the ability to distribute and manage modular services. These services can be downloaded and/or enabled by communications with a central server." Accordingly, it will be appreciated that Rockwell does not relate to provisioning an application as defined in the specification and claims of the subject application.

Furthermore, the Examiner has explicitly referenced paragraphs 59, 76 and 86-91 of Rockwell as relevant to the claims. Paragraph 59 describes that a common provider API communicates with device specific APIs to retrieve information about the device. Such type of communication between APIs is standard in the art and does not teach the use of an enabler in conjunction with a generic API as presented in the claims of the subject invention.

Paragraph 76 describes dynamic provisioning as intended by Rockwell. Specifically, according to Rockwell, "using this system, users can review a set of applications, select or customize one or more applications to fit their needs, and order the selected set. Subsequently, the applications can be installed, enabled, turned on, monitored, and/or managed." As will be appreciated, Rockwell does not provide details of the application installation or provisioning because they are beyond the scope of his invention.

Paragraphs 86-91 described how devices that do not have an integrated Device Model Agent (DMA) use a proxy DMA instead. As described, an application acts as the proxy server. The device can communicate with the proxy server using whatever technology is available to it (SNMP, Bluetooth, etc) and the proxy server communicates with the host server on behalf of the device. Accordingly, it will be appreciated that these paragraphs do not relate to the Applicant's invention as claimed.

For at least the reasons discussed above, Applicant submits claim 1 is novel in view of Rockwell and, as such, requests that the rejection of claim 1 be withdrawn.

Independent claims 16 and 32 are similar in scope to claim 1, and therefore a similar argument applies. Accordingly, we submit that the rejection to these claims be withdrawn for at least the same reasons.

Since the remaining dependent claims depend from one of the above noted independent claims, since we submit that the rejection of these claims be withdrawn for at least the same reasons.

For the foregoing reasons, the Applicant respectfully submits that the claimed invention is patentable over the prior art. Reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

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